

# **TOMAS A. LIPINSKI**

## *(abbreviated) curriculum vitae*

### **Education**

DOCTOR OF PHILOSOPHY (Ph.D.), Graduate School of Library and Information Science, University of Illinois at Urbana-Champaign. Dissertation title: The Communication of Law in the Digital Environment: Stability and Change within the Concept of Precedent, January, 1998, Linda C. Smith, Committee Chair.

MASTER OF LIBRARY AND INFORMATION SCIENCE (M.L.I.S.), School of Library and Information Science, University of Wisconsin—Milwaukee, Milwaukee, Wisconsin, August, 1990.

MASTER OF LAWS (LL.M.) (Taxation), The John Marshall Law School, Chicago, Illinois, June, 1986.

JURIS DOCTOR (J.D.), Marquette University Law School, Milwaukee, Wisconsin, May, 1984.

BACHELOR OF ARTS (B.A.) (History), College of Letters and Science, University of Wisconsin—Milwaukee, Milwaukee, Wisconsin, May, 1981, Phi Alpha Theta (History Honors Society).

### **Professional Licenses**

LICENSING, State Bar of Wisconsin, License Number #1009347, May, 1984 to the present.

### **Academic Positions**

ASSOCIATE PROFESSOR, School of Information Studies, University of Wisconsin—Milwaukee, January 2003 to present.

CO-DIRECTOR, Center for Information Policy Research (CIPR), School Information Studies, University of Wisconsin—Milwaukee, October 1998 to August 2006.

ASSISTANT PROFESSOR, School of Information Studies, University of Wisconsin—Milwaukee, January 1998 to December 2002.

VISITING ASSISTANT/ASSOCIATE PROFESSOR, Graduate School of Library and Information Science, University of Illinois at Urbana-Champaign, Summers, 1998 to the present (Information Needs of Particular Communities: Law (Legal Resources) (1998), LIS 433-G, Special Topics in Library and Information Science: Legal Issues in Library

and Information Science, LIS 450LI/590LI) (1999 to present), Special Topics in Library and Information Science: Information Policy (with special focus on the development of digital libraries, LIS 590IPL) (2006).

ADJUNCT INSTRUCTOR, School of Information Studies, University of Wisconsin—Milwaukee, Spring 1994 to December, 1997 (Introduction to Legal Bibliography (540-470) and Government Information Sources and Services (540-814), proposed, designed and implemented teaching Legal issues for Library and Information Managers (540-825) formerly listed as a Special Topics in Library and Information Science: Legal Issues in Library and Information Science (540-691)).

ADJUNCT PROFESSOR OF LAW, College of Law, Syracuse University, Syracuse, New York, Spring, 1992 (proposed, designed and taught LAW 751: Federal Taxation of Tax Exempt Organizations).

INSTRUCTOR, American Institute for Paralegal Studies, Chicago, Illinois, 1989, 1990, and 1993 (Trusts & Estates and Legal Research & Writing).

### **Scholarship and Publications**

Monographs:

TOMAS A. LIPINSKI, THE COMPLETE COPYRIGHT LIABILITY HANDBOOK FOR LIBRARIANS AND EDUCATORS (2006) (Neal-Schuman Publishers, Inc.).

TOMAS A. LIPINSKI, COPYRIGHT LAW AND THE DISTANCE EDUCATION CLASSROOM (2005) (Scarecrow Press, Inc.).

MARY MINOW AND TOMAS A. LIPINSKI, THE LIBRARY'S LEGAL ANSWER BOOK (2003) (American Library Association, ALA Editions).

Articles:

Tomas A. Lipinski (forthcoming), Legal (Tort-Based) Issues in the Collection and Dissemination of Internet-Based Research Data, JOURNAL OF INFORMATION ETHICS (2007).

Tomas A. Lipinski (forthcoming), Shall and Should: Evolving Compliance Roles for Institutional Actors within the Copyright Law and Suggestions for Implementation in the School, College or University and its Computing, Information or Media Center and Library, NOTRE DAME JOURNAL OF COLLEGE AND UNIVERSITY LAW (2006).

Tomas A. Lipinski and Elizabeth Buchanan, The Impact of Copyright Law and Other Ownership Mechanisms on the Freedom of Inquiry: Infringements upon the Public Domain, JOURNAL OF INFORMATION ETHICS, Spring 2006, at 47.

Thomas Gould, Tomas A. Lipinski, and Elizabeth Buchanan, Copyright Policies and the Deciphering of Fair Use in the Creation of Reserves at Major University Libraries, 32 JOURNAL OF ACADEMIC LIBRARIANSHIP 182 (2005).

Tomas A. Lipinski, Legal Framework and Intellectual Property: Realizing the Concept of Indigenous Cultural Rights in the New Millennium, 3 INDINGLA: AFRICAN JOURNAL OF INDIGENOUS KNOWLEDGE SYSTEMS 16 (2004).

Lee S. Strickland, Mary Minow, and Tomas A. Lipinski, Patriot in the Library: Management Approaches When Demands for Information Are Received From Law Enforcement and Intelligence Agents, 30 NOTRE DAME JOURNAL OF COLLEGE AND UNIVERSITY LAW 363 (2004).

Tomas A. Lipinski, The Climate of Distance Education in the 21st Century: Understanding and Surviving the Changes Brought by the TEACH (Technology, Education, and Copyright Harmonization) Act of 2002, 29 JOURNAL OF ACADEMIC LIBRARIANSHIP 362 (2003).

Tomas A. Lipinski, The Myth of Technological Neutrality in Copyright and the Rights of Institutional Users: Recent Legal Challenges to the Information Organization as Mediator and the Impact of the DMCA, WIPO, and TEACH, 54 JOURNAL OF THE AMERICAN SOCIETY FOR INFORMATION SCIENCE AND TECHNOLOGY 824 (2003).

Tomas A. Lipinski, Legal Reform in an Electronic Age: Analysis and Critique of the Construction and Operation of S. 487, the Technology, Education and Copyright Harmonization (TEACH) Act of 2001, 2003 BRIGHAM YOUNG UNIVERSITY EDUCATION AND LAW JOURNAL 95 (2003).

Tomas A. Lipinski, Elizabeth Buchanan, and Johannes J. Britz , Sticks and Stones and Words that Harm – Liability vs. Responsibility: Section 230 and Defamatory Speech in Cyberspace, ETHICS AND INFORMATION TECHNOLOGY, Fall 2002, at 143.

Tomas A. Lipinski, To Speak or Not to Speak: Developing Legal Standards for Anonymous Speech on the Internet, 5 INFORMING SCIENCE 95 (2002).

Johannes J. Britz and Tomas A. Lipinski, Indigenous Knowledge: A Moral Reflection on Current Legal Concepts of Intellectual Property, 51 LIBRI 234 (2001).

Tomas A. Lipinski, The Developing Legal Infrastructure and the Globalization of Information: Constructing a Framework for Critical Choices in the New Millennium Internet – Character, Content and Confusion, 6 RICHMOND JOURNAL OF LAW & TECHNOLOGY 19 (2000) (<http://www.richmond.edu/jolt/v6i4/article2.html>).

Tomas A. Lipinski and Johannes J. Britz, Rethinking the Ownership of

Information in the 21st Century: Ethical Implications, ETHICS AND INFORMATION TECHNOLOGY, Spring 2000, at 49.

Tomas A. Lipinski, Towards a New Vision of Children in the Coming Millennium: A Childhood Manifesto for the Consumer Age, JOURNAL OF INFORMATION ETHICS, Fall, 1999, at 13.

Tomas A. Lipinski, An Argument for the Application of Copyright Law to Distance Education, AMERICAN JOURNAL OF DISTANCE EDUCATION, No. 3, 1999, at 7.

Tomas A. Lipinski, Designing and Using Web-Based Materials in Education: A Web Page Legal Audit—Part I, Intellectual Property Issues, 137 EDUCATION LAW REPORTER [9] (October 14, 1999).

Tomas A. Lipinski, Designing and Using Web-Based Materials in Education: A Web Page Legal Audit—Part II, Information Liability Issues, 137 EDUCATION LAW REPORTER [21] (October 14, 1999).

Tomas A. Lipinski, The Commodification of Information and the Extension of Proprietary Rights into the Public Domain: Recent Legal (Case and Other) Developments in the United States, THE JOURNAL OF BUSINESS ETHICS, October, 1999, at 63.

Tomas A. Lipinski, New Life for Pico: Filtering and Other Response to Controversial Materials in School Network Environments, 134 (West's) EDUCATION LAW REPORTER [1] (June 24, 1999).

Chapters:

Tomas A. Lipinski, (forthcoming, reprint) Legal Reform in an Electronic Age: Analysis and Critique of the Construction and Operation of S. 487, the Technology, Education and Copyright Harmonization (TEACH) Act of 2001, in COPYRIGHT ISSUES IN HIGHER EDUCATION: A LEGAL COMPENDIUM (2007) (National Association of College and University Attorneys) (reprinted from 2003 BRIGHAM YOUNG UNIVERSITY EDUCATION AND LAW JOURNAL 95).

Tomas A. Lipinski, (forthcoming) Contemporary Issues in American Distance Education: Legal Issues in the Development and Use of Copyrighted Material in Web Based Distance Education in HANDBOOK OF AMERICAN DISTANCE EDUCATION (2d edition, Michael Grahame Moore and William G. Anderson, editors 2007).

Tomas A. Lipinski, (forthcoming) Emerging Legal Issues in the Collection and Dissemination of Internet-Based Research Data, in INTERNET RESEARCH (working title) (Elizabeth Buchanan and Charles Ess, editors 2007).

Elizabeth Buchanan and Tomas A. Lipinski, Responsible Technologies and Literacy: Ethical and Legal Issues, in LITERACY IN TECHNOLOGY AT THE K-12 LEVEL: ISSUES AND CHALLENGES 137 (L. Hin and R. Subramaniam, eds. 2005).

Tomas A. Lipinski, Elizabeth Buchanan, and Johannes J. Britz, Agents of Harm or Agents of Grace: The Legal and Ethical Aspects of Identifying Harm and Assigning Responsibility in a Networked World, in READINGS IN CYBERSPACE 214 (2nd edition, Richard Spinello and Herman Tavani eds. 2004).

Tomas A. Lipinski, Legal Issues in the Development and Use of Copyrighted Material in Web-Based Distance Education, in HANDBOOK OF AMERICAN DISTANCE EDUCATION 481 (Michael Grahame Moore and William G. Anderson, editors 2003).

Tomas A. Lipinski, Legal Issues Involved in the Privacy Rights of Patrons in “Public” Libraries and Archives in LIBRARIES, MUSEUMS AND ARCHIVES: LEGAL ISSUES AND CHALLENGES IN THE NEW INFORMATION ERA 95 (Tomas A. Lipinski, editor 2002).

Tomas A. Lipinski, Tort Theory in Library, Museum and Archive Collections, Materials, Exhibits and Displays: Rights of Privacy and Publicity in Personal Information and Persona, in LIBRARIES, MUSEUMS AND ARCHIVES: LEGAL ISSUES AND CHALLENGES IN THE NEW INFORMATION ERA 47 (Tomas A. Lipinski, editor 2002).

Tomas A. Lipinski, Social and Legal Responsibilities, in LINKING WISCONSIN’S SCHOOL LIBRARIES & CLASSROOMS: A GUIDE FOR INTEGRATING INFORMATION & TECHNOLOGY LITERACY 125 (Wisconsin Association of School Librarians) (Donna Steffens, ed., 4th ed. 2000).

Tomas A. Lipinski, An Argument for the Application of Copyright Law to Distance Education, in WEB-BASED COMMUNICATIONS, THE INTERNET, AND DISTANCE EDUCATION 51 (Michael G. Moore and Geoffrey T. Cozine, editors, 2000) (Selected by the editors from previously published articles in the AMERICAN JOURNAL OF DISTANCE EDUCATION).

Tomas A. Lipinski, Legislative Responses to the Abuse of Personal Information in the Consumer Marketplace, in INFORMATION AND ETHICS IN THE TWENTY-FIRST CENTURY 199 (Lester J. Pourciau editor, 1999).

Tomas A. Lipinski, Information Ownership and Control, 33 ANNUAL REVIEW OF INFORMATION SCIENCE AND TECHNOLOGY (ARIST) 1 (Martha E. Williams, editor, 1999).

Proprietary and non-proprietary technical reports:

Evi Werkers (ICRI (K.U.Leuven) – IBBT), in cooperation with Thomas Roukens (Telenet) and Tomas A. Lipinski (CIPR (University of Wisconsin – Milwaukee)), under the scientific guidance of Peggy Valcke (ICRI (K.U.Leuven) – IBBT), COPYRIGHT AND CONVERGENCE (2006). [Proprietary]

Tomas A. Lipinski, Librarian's Guide to Copyright for Shared and Networked Resources, TECHSOURCE: LIBRARY TECHNOLOGY REPORTS (EXPERT GUIDES TO LIBRARY SYSTEMS AND SERVICES), January/February 2002 (Volume 38, Number 1) (Nicole Waller, editor, 2002) (American Library Association). [Non-proprietary]

Research projects conducted and grants received.

Global Law Fellow, Faculty of Law, Interdisciplinary Centre [sic] for Law & ICT (ICRI) and the Centre [sic] for Intellectual Property Rights (CIPR), Catholic University of Leuven (Katholieke Universiteit Leuven), Belgium, November 2006 (Award includes invitation to present lectures and to collaborate with and advise fellow researchers at ICRI and CIPR. All travel and lodging expenses included in award.).

Fulbright Senior Specialist Roster (acceptance letter dated October 28, 2005, roster candidacy effective for five years). ("The Fulbright Senior Specialists Program differs from the traditional Fulbright Scholar competition in that the Council for International Exchange of Scholars (CIES) builds a roster of specialists in a variety of disciplines through an open application process. Applicants recommended by specialist peer review committees and approved by the J. William Fulbright Foreign Scholarship Board become candidates for Fulbright Senior Specialist projects.").

Elizabeth A. Buchanan and Tomas A. Lipinski, Responsible Technologies: Student and Teacher Guidelines for Ethical and Legal Uses of Educational Technologies, University of Wisconsin System PK-12 Initiative: Professional Development in Instructional Technologies for Teachers. Amount awarded for 2002-2003 is \$28,500.

Elizabeth A. Buchanan and Tomas A. Lipinski, Responsible Technologies: Student and Teacher Guidelines for Ethical and Legal Uses of Educational Technologies, University of Wisconsin System PK-12 Initiative: Professional Development in Instructional Technologies for Teachers. Amount awarded for 2001-2002 is \$38,052.00.

Tomas A. Lipinski, Institute for Legal and Ethical Issues in the New Information Era: Challenges for Libraries, Museums and Archives, Institute of Museum and Library Services (IMLS), 1999-2000 IMLS National Leadership Grant. Amount awarded: \$103,449.

Tomas A. Lipinski, Knowledge Creation in the United States: Using Copyright Office Registration Information in Public Policy Decision-Making, University of Wisconsin—Milwaukee, Graduate School Research Committee Awards, Funding Year 1999-2000. Amount awarded: \$7,647.

Minor Publication:

Tomas A. Lipinski, The Legal Landscape After *MGM v. Grokster*: Is It the Beginning of the End or the End of the Beginning? Part 2: Understanding the Impact on Innovation, *BULLETIN OF THE AMERICAN SOCIETY FOR INFORMATION SCIENCE AND TECHNOLOGY*, February/March, 2006, at 21.

Tomas A. Lipinski, The Legal Landscape After *MGM v. Grokster*: Is It the Beginning of the End or the End of the Beginning? Part 1: Understanding the Legal Landscape, *BULLETIN OF THE AMERICAN SOCIETY FOR INFORMATION SCIENCE AND TECHNOLOGY*, October/November, 2005, at 6.

Tomas A. Lipinski and Johannes J. Britz, Intellectual Property and Indigenous Knowledge, 9 *META-INFO BULLETIN*, February, 2000, at 12.

Tomas A. Lipinski, Information Warfare American Style: The Battle for Page Numbers, Real Time Event Data and Other Factual Information, *IEEE TECHNOLOGY AND SOCIETY* (A Publication of the IEEE Society on Social Implications of Technology), Spring, 1999, at 10.

Tomas A. Lipinski and Johannes J. Britz, Problems and Principles of Intellectual Property Ownership in the New Millennium, *ETHICS AND JUSTICE*, January, 1999, at 1.

Testimony:

United States Copyright Office Public Roundtables, United States Copyright Office and the Office of Strategic Initiatives, Library of Congress, Docket No. 06-10801, Section 108 Study Group: Copyright Exceptions for Libraries and Archives, 71 *FEDERAL REGISTER* 7999 (February 15, 2006), Rayburn House Office Building, Room 2237, Washington, D.C., March 16, 2006.

United States Copyright Office Field Hearings, Copyright Office Study on Distance Education (United States Copyright Office Library of Congress, Copyright Office, Docket No. 99-12A, Promotion of Distance Education through Digital Technologies, Request for Comments and Notice of Public Hearing available at 63 *Federal Register* 71,167 (December 23, 1998) (U.S. Copyright Office Notice available at <http://www.lcweb.loc.gov/copyright/disted/>). UNITED STATES COPYRIGHT OFFICE, REPORT ON COPYRIGHT AND DIGITAL DISTANCE EDUCATION II, Comment 39 (Prepared Statement of Tomas A. Lipinski); UNITED STATES COPYRIGHT OFFICE, REPORT ON COPYRIGHT AND DIGITAL DISTANCE EDUCATION III 73-82 (Testimony of Tomas A. Lipinski) (February 12, 1999, Chicago, Illinois).

Awards:

Listed in, WHO'S WHO AMONG AMERICA'S TEACHERS, 2004-2005 (Invitation for listing based upon nomination(s) received by publisher from former students.).

1998 UMI Doctoral Dissertation Award, Information Science Education Committee, American Society for Information Science (now ASIST, American Society for Information Science and Technology). *The Communication of Law in the Digital Environment: Stability and Change within the Concept of Precedent*, January, 1998, Linda C. Smith, Committee Chair. (Rank: 1 of 10)

School of Library and Information Science, University of Wisconsin—Milwaukee, Milwaukee, Wisconsin, August, 1990, Beta Phi Mu (Library and Information Science Honor Society), Elaine Faine Award for Academic Excellence.

#### Conferences Organized:

Institute for Legal and Ethical Issues in the New Information Era: Challenges for Libraries, Museums and Archives, May 20- 29, 2000 (Center for Information Policy Research and the School of Library and Information Science), University of Wisconsin—Milwaukee (Sponsored by Institute of Museum and Library Services (IMLS), 1999 IMLS National Leadership Grant).

#### International Outreach:

Initiated research collaboration with Interdisciplinary Centre [sic] for Law & ICT and the Centre [sic] for Intellectual Property Rights, Catholic University of Leuven (Katholieke Universiteit Leuven), Belgium, Fall, 2005, including sabbatical visit in Fall, 2006.

Initiated official linkages for exchange and cooperation with Department of Information Science, School of Information Technology, University of Pretoria and the School of Information Studies, University of Wisconsin—Milwaukee, resulting in an AGREEMENT OF EXCHANGE AND COOPERATION between the University of Wisconsin—Milwaukee and the University of Pretoria, Pretoria, South Africa (signed by Dr. Nancy Zimpher (Chancellor) and Professor Johan van Zyl (Vice-Chancellor and Principal), January 26, 2000 and December 14, 1999, respectively).

### **Teaching**

Government Information Sources and Services  
Globalization, Information and Development (under development)  
Information Policy\*  
Intellectual Freedom  
Introduction to Legal Bibliography (new title: Legal Information Sources and Services)  
Legal Aspects of Information Products and Services  
Legal Issues for the Library and Information Manager\*  
Management of Libraries and Information Services

## Managing Library Collections and Services

(\*Also taught at University of Illinois at Urbana-Champaign.)

### **Service**

#### School Committees:

Academic Planning Committee

Admissions and Awards Committee Curriculum Committee (Chair, 1998-1999)

Comprehensive Examination Committee (Proficiency Committee) (Chair, 1999-2002)

Curriculum Committee

Executive Committee (Chair, 2004-2006)

Faculty Research and Development Committee (Chair, 2003-2004)

Graduate Program Committee

Scholastic Standing and Appeals Committee (Chair, 1998-1999)

#### University Committees:

Academic Planning and Budget Committee

Center for International Education Advisory Committee

Codification Committee (Chair, 2003-2004)

Faculty Appeals and Grievance Committee (ad hoc member, In re Peter Sands)

Faculty Rights and Responsibility Committee

Faculty Senate (President Pro Tem, 2005-2006)

Faculty Senate Rules Committee (Chair, 2005-2006)

Graduate Faculty Council (Chair, 2000-2001)

Graduate School Research Committee (Chair, 2000-2001)

Graduate School Scholastic Appeals Committee (Chair, 2002-2003)

Intellectual Property Advisory Committee and Intellectual Property Advisory Committee

Education Sub-Committee (Chair, 2001-2002)

Multicultural Affairs

Overseas Programs and Partnerships Faculty Advisory Committee

SOIS Dean's Search and Screen Committee (Vice-Chair, 2004) (Ad hoc)

University Committee

#### Other Service (Leadership):

American Society for Information Science & Technology (ASIST), Information Policy SIG, President-elect for 2007.

American Society for Information Science & Technology (ASIST), Wisconsin Chapter, President, 2000 to 2001.

#### Advisory Boards:

INTERNATIONAL JOURNAL OF ETHICS Editorial Advisory Board (2004-present):  
“The IJoE Editorial Advisory Board is organized with the Editorial Board members serving as independent decision-makers, referees, and sources of paper.”

West Group Library School Educators Advisory Board, West Group, Eagan, Minnesota, 2000-2002.

Reviewing Activities (Publications):

LEGAL MANUAL FOR ARCHIVES (manuscript for Society of American Archivists)  
JOURNAL OF ACADEMIC LIBRARIANSHIP  
THE AMERICAN JOURNAL OF DISTANCE EDUCATION  
THE JOURNAL OF THE AMERICAN SOCIETY FOR INFORMATION SCIENCE  
AND TECHNOLOGY

Editorial Functions:

Monograph Series (development and content) Editor for The Legal Advisor for Libraries, Archives, and Other Information Organizations, Neal-Schuman Publishers, Inc., series contract dated March 17, 2005.

LIBRARIES, MUSEUMS AND ARCHIVES: LEGAL ISSUES AND CHALLENGES  
IN THE NEW INFORMATION ERA, Scarecrow Press, Inc. (Tomas A. Lipinski, Editor  
2002).

Other service (speaking):

Over 100 presentations to audiences as part of academic or professional conferences, professional in-service or workshops related to continuing education for librarians, archivists, educators and related information professionals.

Memberships:

Wisconsin State Bar Association  
Thomas More Lawyers Society  
American Association of Law Librarians (AALL)  
American Society for Information Science and Technology (ASIST)  
Education Law Association (ELA)